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SIPDIS

STATE FOR INL/AEE, AF/S, AF/PAPD, AND DS/OP/AF

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SUBJECT: MOZAMBIQUE - INL FY 06/07 WORKPLAN

REF: SECSTATE 071478

1. Embassy Maputo requests continued INL funding for FY 06/07 to build on ongoing projects to further develop the Attorney General's Anti-Corruption Unit and the Mozambican Police Sciences Academy, and further requests additional funds for assistance to Mozambican Immigration and Customs to improve border security. Per reftel, project descriptions are provided below.

PROGRAM SUMMARY

2. Public statements of senior GRM officials, including Attorney General Madeira and President Chissano, have repeatedly addressed the problems of corruption, judicial sector inefficiency, a perceived increase in violent crimes coupled with public disillusionment with the police force, and the inability of the GRM to enforce sufficient border controls. The Interior Minister, immigration and customs officials have all emphasized to post their need for USG and other donor support in the area of border security. To date, post's law enforcement working group has successfully coordinated funding from USAID, INL, PD, RSO, and DOD to build programs supporting GRM efforts in development of the Anti-Corruption Unit of the Attorney General's Office and the National Police Academy (ACIPOL). Defense Attach Office has worked with the Mozambican navy and counterparts from other embassies to lay the framework for improved security of the country's long sea border.

3. Influence peddling, money laundering, and corruption are serious impediments to economic development a core post MPP goal. President Chissano and the candidate to succeed him as President, Armando Guebuza, have continued to publicly pledge their support for the fight against corruption. The Attorney General places great emphasis on the continued development of the Anti-Corruption Unit for successful prosecutions of corruption.

4. The post 2006 Mission Program Plan includes goals and strategies to strengthen GRM anti-corruption institutions and mechanisms and to improve border security. Post seeks to improve good governance by supporting efforts of central and local governments and civil society to combat corruption. Post will pursue strategies to build GRM capacity to combat terrorism through adoption and implementation of appropriate legislation and strengthened law enforcement and border controls. Mission continues to work with the GRM to overcome structural weaknesses in financial oversight and control of borders that could allow Mozambique to be used as a terrorist transit point in attacks against United States interests.

PROJECT DESCRIPTIONS

ANTI-CORRUPTION UNIT

5. Post requests continuation of support for the Attorney General's Anti-Corruption Unit (ACU) through FY 2007 with a full-time OPDAT Legal Advisor funded by FY06 and FY07 funds. Post requests that Department of Justice, through the Overseas Prosecutor Development, Assistance and Training (OPDAT) program, identify an Assistant United States Attorney or other qualified official to serve as a Regional Legal Advisor (RLA) to work with the management of the unit. If no appropriate individual is available for a full year, one or more Intermittent Legal Advisors could spend two periods of six months working with the ACU. The RLA or ILA(s) would support the ACU in establishing effective management procedures, organizational structure and standard operating procedures.

6. The Legal Advisors would act as consultants for the upper management of the organization with regard to legal questions, advice on specific cases, and law enforcement techniques, such as how to use an undercover operative.

7. The objectives of this program will be to mentor prosecutors in developing cases, develop case law in corruption and financial crimes and train judges and prosecutors in financial crime prosecution techniques. These objectives can be measured through the numbers of successfully prosecuted corruption or financial crimes cases.

8. Evaluation of the program's progress is done through quarterly reports by the OPDAT attorney, interviews with the

Attorney General's Office, the tracking of statistics of successfully prosecuted corruption and financial crimes cases.

19. This program contributes to USG's goals and objectives in Mozambique by assisting in creating a viable judicial sector, essential for a stable democracy. By supporting the ACU, we will help fight domestic and international crime in Mozambique.

10. In 2004 through 2007 we see this program continuing as the ACU grows into its position and matures as an organization. Over the past three years, the mission has cultivated a highly productive relationship with the Attorney General and his staff, using resources from all mission elements to assist the AG in his effort to build capacity for fighting corruption.

Resource Tables for OPDAT Advisor:

Cost Component FY03 FY04 FY05 FY 06 FY07

Personnel --- 250 250 250 250

Commodities --- 50 50 50 50

(training, technical assistance, short-term advisors)

Law school scholarships

--- 75 75 75 75

Total Project Request

--- 375 375 375 375

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Continuation of funding for Law School Scholarships for five prosecutors is also requested. The AG has specifically appealed to the donors this past year for funding such scholarship for direly needed law degrees for his staff, many of whom never had the opportunity to pursue further training. Total request for Anti-Corruption Unit related activities is \$275,000 for each year.

11. Resources requested: OPDAT advisor presence to facilitate training workshops, improved management of the ACU, implementation of effective case tracking systems, and the development of curricula for AGO training. Continuation of five- year law school scholarships initiated in FY 03 for five prosecutors per year is requested for FY 06 and 07.

12. Resource justification: The Attorney General's Office has increased efforts to strengthen the capacity of the ACU. Public confidence is high that the ACU will have the capacity and the will to act forcefully against corruption. The AG is planning the formation of a specialized judicial police (PJ) unit that will report directly the AGO, independently of the discredited criminal investigation police (PIC). The overwhelming public perception that corruption is a serious problem has provided a conducive environment for the AG to energetically support development of an effective ACU, and post has built upon the excellent working relations established between the AGO and USAID mission, as well as Embassy Front Office and Public Affairs.. The principal short-term OPDAT advisor has built up a comprehensive knowledge of the issues facing the ACU and has gained the trust of the AG and his staff over the course of four visits. Continued USG support of the AGO is critical in that, while other international donors support courts, law schools, infrastructure, and law reform, USG support has been focused on the AGO support in this sector. The goal of the project is to create a more effective ACU able to carry out complex investigations into all forms of corruption. This project builds upon the FY 2001-2003 OPDAT funding that has already been applied to this effort and post request for FY 2004-2005 additional resources.

13. Performance measurements: Number of arraignments stemming from cases, number of successful prosecutions, number of ACU Staff members trained, effectiveness of improved case management systems and applications, number of prosecutors completing their law degrees, demonstrated institutional capacity improvement.

14. Sustainability: The GRM is responsible for recurring costs of salaries and benefits for Anti-Corruption Unit personnel. Training activities by OPDAT ILAs are carried out by the Judicial Training Center, with the overhead costs of operation of the training center borne by the GRM. The relationship established between the ACU and the Judicial Training Center ensures sustainability due to their train-the-trainer based approach, as opposed to stand-alone training. Host country commitment has been exemplified by the Attorney General in public speeches with pledges of the decisive action, followed up in recent months by moves to investigate and detain corrupt officials. The AG has identified training and information technology activities as critical elements of the AGO's strategic plan for building the capacity of their institution to successfully combat corruption. This request is part of a comprehensive program of support initiated by the USG agencies in FY 2000 and is critical to augment planned support by USAID through FY 06.

15. Evaluation: Post and AID mission will continue to meet with the Attorney General regularly and with ACU on a

monthly basis to assess results of assistance. Reports will be prepared every six months considering information from the media, NGOs and the AGO. OPDAT advisors will complete evaluation reports of the program.

POLICE SCIENCES ACADEMY

16. Post considers the Police Sciences Academy as critical to improving the performance and professionalism of the police force and seeks to continue assistance to this institution. Funding of \$250,000 was approved for FY 03 for development of forensics laboratory capability to take place parallel to continued ICITAP advisor technical assistance visits. A forensics training lab assessment visit was conducted in March 2004. A further \$175,000 was requested for both FY 04 and FY 05. The ICITAP Investigative Development Training Program will compliment forensics training capacity at ACIPOL by providing the necessary skills to protect crime scenes and conduct investigations. Post is also interested in working with the Mozambican Police on a Community Policing project to provide material support and training to an already existing program

17. Resources requested: \$175,000 for the forensic laboratory development project and \$200,000 for a Field Training Officer Program to complement the Basic Skills Training we will hopefully be providing for FY 06; for FY 07, \$175,000 for the forensic laboratory development project and \$200,000 for a community policing program that will build upon what the Mozambicans are already doing.

18. As part of this project, ICITAP will donate other equipment including mobile crime scene kits, loop magnifiers for analyzing fingerprint cards, televisions, VCRs, and video cameras for the police academy, and ink pads for taking fingerprints.

19. Resource Table:

Cost Component	FY03	FY04	FY05	FY06	FY07
Forensics Lab Project	250	175	175	175	175
Basic Skills Training	150	150	150	--	--
Field Training Officer Prog.	--	--	--	200	--
Community Policing	--	--	--	--	200
Total Project Request	400	325	325	375	375

20. Resource justification: The PIC is harshly criticized for impeding or conducting poor criminal investigations. The National forensics lab, which is managed by the PIC does not have sufficient resources to conduct quality investigations. The PIC has a weak training infrastructure, and detectives do not receive skills-based instruction with practical exercises to improve their competence in handling complex criminal cases. The Policia Judicial (PJ) is still in the formative stages and will need to quickly train an elite group of investigators.

21. Resource justification: Improve efficiency, professionalism, and respect for human rights, by improving basic police skills and building on these skills with the ICITAP Field Training Officer Program. Improve facilities of ACIPOL to enable it to establish itself as a center for excellence for the future leaders of the PRM. Provide a quality training forensics lab and an alternate venue for the PJ to conduct future forensics analyses. The Community Policing program will complement already existing Minister of Interior initiatives.

22. Performance measurements: Benchmarks that identify measurable outcomes will include number of ACIPOL instructors and students, PRM officers and trainers, and AGO prosecutors provided training by ICITAP-trained trainers, comparisons of the number of criminal cases solved before and after the implementation of the project, and citizen surveys regarding police conduct and effectiveness.

23. Sustainability: Project will provide training to police instructors who will then replicate the training throughout the police force. This training will serve to incrementally build a quality, self- sustaining training infrastructure.

24. Evaluation: ICITAP will assist the GRM and the U.S. Embassy in conducting periodic progress reviews to determine which milestones have been completed and to identify appropriate remedial actions when delays occur.

BORDER SECURITY

25. Mozambique has limited capabilities to prevent its use as a transit point for terrorist activities. Mozambique has no capacity to patrol its long shoreline and limited coverage of its porous land borders. Oversight of the international movement of money, goods, and people is extremely limited and subject to corruption. Mozambique is a significant transit point for the illegal trafficking of narcotics, weapons, immigrants, and economic contraband. Post has asked for funds for FY 04 and FY 05 for expansion

of INL programs to deal with this serious problem. We are still awaiting determination by INL if funding will be approved. If the program is already in its third year by FY 06, than we will request container scanner equipment and training for Mozambique's three major sea ports and up to five key land border crossings.

126. With this project, post would enhance the capability of POE-based immigration, customs, and law enforcement units to interdict criminal elements and to quickly and accurately share information with relevant agencies. Post will identify key POEs for training and communication/information technology upgrades to facilitate the sharing of information in a timely manner. The border security improvements will begin to make Mozambique a more difficult operating environment for cross-border crime.

127. INL funds over the course of the three-year project would support the following activities, dependant on availability of the training teams:

- 1) Security Assessments of major points of entry, including, but not limited to: Mavalane International Airport Maputo, the land borders at Ressano Garcia, Namaacha, and Machipanda, Beira International Airport, and the ports of Maputo, Matola, Beira, and Nacala. These assessments should focus on ways in which information technology could be used to improve security.
- 2) Purchasing communication and IT equipment based on security assessments and input from post's Law Enforcement Working Group (LEWG). This would include computers, scanners, digital cameras, and surveillance equipment.
- 3) Computer training courses should be provided for IT professionals working at POEs, in order to build expertise of units' IT staff.
- 4) Training course for senior-level managers of POE installations and law enforcement units deployed at these POEs. Participants should include managers from Mozambican police, customs, and immigration.
- 5) Series of training courses for officials working at POEs on interdiction. This would follow up previous training on the same topic, but would be able to build on prior training or expose newer officers to training in interdiction. A focus on joint training would expose officers working at airports and ports to ways they could enhance coordination.
- 6) Course on document fraud that will focus on immigration officials, but should include other law enforcement officials as well.
- 7) FBI fingerprint classification course will enable officials to better organize and share data.
- 8) Surveillance and Criminal Intelligence course. This course would better equip police to more effectively use alternative methods to interdict criminal elements.

128. Resources requested: Post requests \$250,000 to initiate a three-year program to improve security at Mozambican points of entry (POE).

129. Performance Measurements: Increased interdiction of illegal criminal elements transiting Mozambique. Enhanced inter-agency cooperation at airports, border posts, and seaports. Relevant use of upgraded technology in order to quickly share information on criminal activity

130. Sustainability: Given the projects focus on joint-training and information technology, the benefits of the program would continue, even should USG funding end. In selection of course participants, consideration will be given to assessing whether or not they are likely to remain in relevant positions, but the program will focus largely on training that will benefit individual officers, even if they move to other units.

131. Evaluation: Post's Law Enforcement Working Group (LEWG) members will meet with counterparts at POEs on a regular basis to discuss use of training and commodities. Additionally, post's INL point of contact will request written reports on condition of donated equipment from host government officials in addition to asking for updates on arrests and seizures at POEs.

SUMMARY RESOURCE TABLE

(in USD thousands) FY03 FY04 FY05 FY06 FY07
Anti-Corruption Unit 275 275 275 250 250
(incl. Judicial Training)
Police Academy 250 250 250 375 375
Border Security - 250 250 275 300

Totals 525 775 775 900 925

132. Post appreciates consideration of these requests.
LA LIME